



PATENT
ATTORNEY DOCKET NO.: 056159-5028

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
BEINDORFF ET AL)	
)	
Application No.: 09/863,439)	Group Art Unit: 1651
)	
Filed: May 24, 2001)	Examiner: Coe
)	
For: BLENDS OF URSOLIC ACID/ OLEANOLIC ACID)	
)	

Commissioner for Patents
Washington, D.C. 20231

Sir:

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AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is a Response to the Office Action dated August 27, 2002.
2. Additional papers enclosed:
3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 400.00	\$ 200.00
<input type="checkbox"/> three months	\$ 920.00	\$ 460.00
<input type="checkbox"/> four months	\$ 1,440.00	\$ 720.00

Extension of time fee due with this request: \$_____

If an additional extension of time is required, please consider this a Petition therefor.

- ☐ An extension for _____ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

- ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	?	minus	?	?	x \$18 each=	+ \$
Independent Claims (37 C.F.R. §1.16(b))	?	minus	?	?	x \$84 each=	+ \$
[] First presentation of Multiple dependent claim(s)					\$280.00	+ \$
SUB-TOTAL =						\$
Reduction by ½ for filing by a small entity						- \$
TOTAL FEE =						\$ 0

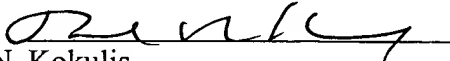
6. Fee Payment

- ☐ No fee is to be paid at this time.
- ☐ Check in the amount of \$_____ for _____. The Commissioner is hereby authorized to charge any additional extension of time fee or additional fee for claims due to Deposit Account No. 50-0310.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

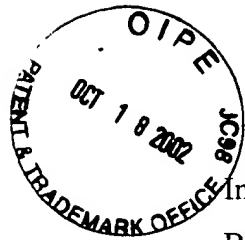
Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: October 18, 2002

By: 
Paul N. Kokulis
Reg. No. 16773

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In re Application of

BEINDORFF ET AL

Serial No.: 09/863,439

Group Art Unit: 1651

Filed: May 24, 2001

Examiner: Coe

Title: BLENDS OF URSOLIC ACID/
OLEANOLIC ACID

October 18, 2002

16/B
MQJ
10/24/02

AMENDMENT AND RESPONSE

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Sir:

In response to the Office Action dated August 27, 2002, please amend the above application as follows:

IN THE SPECIFICATION

Page 1, 1st ¶, beginning at line 3, amend to read as follows:

B¹
Ursolic acid and oleanolic acid are known compounds that are also known for their health effects. References wherein these effects are disclosed are, e.g. JP 09/040 689; JP 09/067 249; CN 1 085 748; JP 1 039 973; JP 03/287 531; JP 03/287 430; EP 774 255; JP 07/258 098; JP 07/048 260; JP 01/132 531; FR 2 535 203; and JP 1 207 262. Compositions comprising ursolic acid and oleanolic acid in weight ratios of 1:99 to 99:1 can be obtained by extracting natural sources like fruit skins or herbs, in particular by extracting skins of apples, pears, cranberries, cherries and prunes. The extracts so obtained contain ursolic acid and oleanolic acid in amounts of about 5-60% and in weight ratios mentioned above. However, these extracts have a major drawback, i.e. the extracts display a severe negative off flavour and as the components are intended to be used as health components